

Meeting 11 of 48 2010-2012 City Council of Galveston, Texas

THE MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF GALVESTON HELD OCTOBER 14, 2010 - 4:00 PM

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER.
2. MOMENT OF SILENCE
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL: Present: Mayor Jaworski, CM Puccetti, CM Gonzales, CM Beeton,
MPT Colbert, CM Greenberg, CM Legg
Staff: City Manager LeBlanc; City Attorney Green, City
Secretary Lawrence
5. DECLARATION OF CONFLICT
None
6. APPROVAL OF MINUTES
Special Meeting September 8, 2010: Motion to approve by MPT Colbert. Second
by CM Puccetti. Vote in favor: CM Puccetti,
CM Gonzales, CM Beeton, Mayor Jaworski,
MPT Colbert, CM Greenberg. Abstaining:
CM Legg absent September 8, 2010.
Motion carried.
Regular Meeting September 9, 2010: Motion to approve by CM Beeton. Second
by MPT Colbert. Vote in favor: CM
Puccetti, CM Gonzales, CM Beeton, Mayor
Jaworski, MPT Colbert, CM Legg.
Abstaining: CM Greenberg absent
September 9, 2010. Motion carried.
Special Meeting September 13, 2010: Motion to approve by CM Puccetti. Second
by MPT Colbert. Unanimously approved.
Special Meeting September 16, 2010: Motion to approve CM Puccetti. Second by
MPT Colbert. Unanimously approved.
Regular Meeting September 23, 2010: Motion to approve by MPT Colbert with
change to show that MPT Colbert abstained
on the motion to allow smoking in outdoor
patios on Item 11.C. Second by CM Legg.
Unanimously approved.
(City Secretary Lawrence listened to the
audio tape of the Regular Meeting of
September 23, 2010 and MPT Colbert did
not abstain from voting. She cast a no vote.
7. PRESENTATIONS
Certificate of Recognition of the State Champion Japanese Yew Tree owned by
Grace Episcopal Church.

8. COMMUNICATIONS AND PETITIONS

Notices of Claim: 10072-Michael Nixon; 10073-Manuela De La Fuente; 10074-Ophelia Chambers; 10075-Jos Escamillo; 10076-Brandon A. Backe; 10077-Julius Jones; 10078-Kerry Thomas; 10079-At&T Risk Management

Texas Gas Service: Purchased Gas Adjustment Clause for October 2010
Reconciliation Audit for July, 2009 through June, 2010

9. ORDINANCES ASSOCIATED WITH PUBLIC HEARINGS

- A. Consider for approval an Ordinance of the City of Galveston, Texas, granting a Specific Use Permit for "Amusement, commercial (outdoor)" in a Retail, Seawall Development Zone 2, Height and Density Development Zone 3 (R-SDZ-2-HDDZ-3) zoning district; property is commonly known as 2902 Seawall and is legally described as Lot A, Dolphin World, in the City and County of Galveston, Texas; Planning Case Number 10P-79.

ORDINANCE NO. 10-078 was read by caption: GRANTING A SPECIFIC USE PERMIT FOR "AMUSEMENT, COMMERCIAL (OUTDOOR)" IN A RETAIL, SEAWALL DEVELOPMENT ZONE 2, HEIGHT AND DENSITY DEVELOPMENT ZONE 3 (R-SDZ-2-HDDZ-3) ZONING DISTRICT; PROPERTY IS COMMONLY KNOWN AS 2902 SEAWALL AND IS LEGALLY DESCRIBED AS LOT A, DOLPHIN WORLD, IN THE CITY AND COUNTY OF GALVESTON, TEXAS; PLANNING CASE NUMBER 10P-79; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Director of Planning O'Donohoe summarized the request for the specific use permit.

Mayor Jaworski opened the PUBLIC HEARING. There being no one to speak, the Public Hearing was closed.

Motion to approve by CM Greenberg. Second by CM Legg. Unanimously approved.

- B. Consider for approval an Ordinance of the City of Galveston, Texas, granting a specific use permit for "site excavation" in conjunction with wetland mitigation in Planned Development (PD), Retail ®), and one-Family Two (1F-2) Zoning Districts; property is 49.3 acre tract of land located North of FM 3005, South of Stewart Road, West of El Lago and East of 13-Mile Road and is legally described as Hall and Jones Survey, Part of Lots 98, 99, 107-110, 116 and 117 (98-7) of Trimble and Lindsey Section 3, in the City and County of Galveston, Texas; Planning Case Number 10p-80.

ORDINANCE NO. 10-079 was read by caption: GRANTING A SPECIFIC USE PERMIT FOR "SITE EXCAVATION" IN CONJUNCTION WITH WETLAND MITIGATION IN PLANNED DEVELOPMENT (PD), RETAIL ®), AND ONE-FAMILY TWO (1F-2) ZONING DISTRICTS; PROPERTY IS 49.3 ACRE TRACT OF LAND LOCATED

NORTH OF FM 3005, SOUTH OF STEWART ROAD, WEST OF EL LAGO AND EAST OF 13-MILE ROAD AND IS LEGALLY DESCRIBED AS HALL AND JONES SURVEY, PART OF LOTS 98, 99, 107-110, 116 AND 117 (98-7) OF TRIMBLE AND LINDSEY SECTION 3, IN THE CITY AND COUNTY OF GALVESTON, TEXAS; PLANNING CASE NUMBER 10P-80; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Director of Planning O'Donohoe summarized the request for the specific use permit.

Mayor Jaworski opened the PUBLIC HEARING. There being no one to speak, the Public Hearing was closed.

Motion to approve by CM Puccetti. Second by CM Legg. Unanimously approved.

- C. Consider for approval an Ordinance of the City Council of the City of Galveston, Texas, finding that the existing electric distribution rates of Centerpoint Energy Houston Electric LLC ("Centerpoint" or "Company") are unreasonable and should be reduced; ordering Centerpoint to reduce its existing rates within the City; ordering Centerpoint to submit tariffs consistent with the recommendation of the Gulf Coast Coalition of Cities' consultants in Public Utility Commission of Texas Docket No. 38339; ordering Centerpoint to reimburse the City for its reasonable costs incurred in this rate case and any related rate making proceedings or appeals of said proceedings; authorizing the Gulf Coast Coalition of Cities to act on behalf of City and intervene in any proceedings before administrative or judicial bodies; requiring delivery of this ordinance to the Company and legal counsel.

ORDINANCE NO. 10-080 was read by caption: FINDING THAT THE EXISTING ELECTRIC DISTRIBUTION RATES OF CENTERPOINT ENERGY HOUSTON ELECTRIC LLC ("CENTERPOINT" OR "COMPANY") ARE UNREASONABLE AND SHOULD BE REDUCED; ORDERING CENTERPOINT TO REDUCE ITS EXISTING RATES WITHIN THE CITY; ORDERING CENTERPOINT TO SUBMIT TARIFFS CONSISTENT WITH THE RECOMMENDATION OF THE GULF COAST COALITION OF CITIES' CONSULTANTS IN PUBLIC UTILITY COMMISSION OF TEXAS DOCKET NO. 38339; ORDERING CENTERPOINT TO REIMBURSE THE CITY FOR ITS REASONABLE COSTS INCURRED IN THIS RATE CASE AND ANY RELATED RATE MAKING PROCEEDINGS OR APPEALS OF SAID PROCEEDINGS; AUTHORIZING THE GULF COAST COALITION OF CITIES TO ACT ON BEHALF OF CITY AND INTERVENE IN ANY PROCEEDINGS BEFORE ADMINISTRATIVE OR JUDICIAL BODIES; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL.

Director of Infrastructure Eric Wilson summarized the proposed ordinance.

Mayor Jaworski opened the PUBLIC HEARING. There being no one to speak, the Public Hearing was closed.

Motion to approve by MPT Colbert. Second by CM Beeton. Unanimously approved.

10. PUBLIC COMMENT

Diane Olsen, 3220 Dominique, Nature Tourism Event.
Patty Talley, 10811 San Luis, Texas Marine Annual Stranding Network Pepsi Challenge.
Sandra Bluhm, 1402 Strand, in support of smoking in bars.
Dr. Jane Chance, 1207 Postoffice, opposed to Conciliation Agreement
Emily Giffin, 2213 Postoffice, Rear; in support of mobile vendor ordinance.
Sabrina Hollenberg, 4524 Ave. O ½, in support of smoking in bars and on patios.
Samuel Collins, III, Chamber Board Member, in support of smoking ban on indoor smoking.
Mike Gullette, 5228 Ave. U, in support of changes in smoking ordinance.
Sheila Bell, problems with housing after Ike and flood concerns.
Steve Everts, 4527 Ave. O ½, Bar and Tavern Owners Assn., thanked members of Council that approved the changes in the smoking ordinance.
David Stanowski, 2211 Ave. P, member of Bar and Tavern Owners Assn, read statement in favor of smoking in adult venues. Noise ordinance needs to be clear and concise. Need another workshop with Council on the issue.
Ritchie Adoue, 1222 Church St., problems with application for CDBG \$5,000 homeowners down payment assistance program.
Leslie Sommer, Historic Downtown Strand Seaport Partnership, read following Resolution into the record:

The Historic Downtown Strand Seaport Partnership, aware of the concerns of many in the business community downtown support amending the City of Galveston Smoking Ordinance to accomplish the following: Keep in place the existing ban on all indoor smoking. Establish reasonable rules that will allow outdoor smoking on sidewalks and patios. The plan favored by hotels, restaurants and, in fact, most other businesses would reinstate the five foot ban around business entrances as proposed in the original ordinance before it was amended to fifteen feet in City Council debate. Provide rules for controlling litter and community appearance where outdoor smoking occurs. Again, our position as a downtown organization representing both small and large businesses in the downtown area as well as residents in the downtown has not changed. We are not in support of indoor smoking in the business community.

Linda Sousse, 921 Marine Dr. #238, asked Council to reinstate the ban on smoking.

Sarah Woodson, 1502 Winnie St. Apt. 1, in support of Clean Air Ordinance.
Harold Thomas, 4524 Ave. R ½, in support of indoor smoking in adult venues.
Elizabeth Anderson, 1321 Ave. K, opposed to indoor smoking.
Sheena Poulvio, 2018 48th St., in support of smoking in bars.
Marie Hier, 815 21st St., thanked Council for bringing back smoking.
Michelle G. Lemcke, 503 21st #19, in support of indoor smoking.
Charles Brust, 600 19th St. #15, in support of smoking in bars.
Bob Mahan, 162 Diamond Rock, Cypress, Tx., in support of Clean Air Ordinance.
Margaret Canavan, 3823 Ave. P., in support of smoking ban. Also in favor of the Conciliation Agreement.

David Collins, 1615 Postoffice, can't win the battle against the Conciliation Agreement.

Dr. Sheryl A. Green, 6 Barque Lane, uphold ban on indoor smoking.

Stanley Brown, 7511 Antilles, problems with smoking ban. Improvements needed on the Seawall.

Claudia Rodas, 6301 Richmond, Houston, Tx., American Cancer Society, in support of a smoke free Galveston.

Jackie Cole, 2 Candena Dr., in support of smoke free Galveston

Bob Pisaturo, 16915 Spring Creek Oaks Ct., Spring, Tx., Island business owner in support of smoking in bars.

Abraham Cox, 3433 Cove Blvd, #2208,

Alice Melott, 1502 Market, opposed to smoking indoors.

Bobbie Krantz, 202 20th, bar owner, in support of smoking in bars.

Ruth Finklestein Suhler, 215 Barracuda Ave., opposed to smoking.

Colleen Silva, 1502 Broadway, cancer surgeon, in support of smoking ban.

Ashley Grant, 603 10th St., in support of smoking ban.

Michael Morris 2515 Market, new business owner, will not hire smokers, in support of smoking ban.

Willy Gonzales, 1801 32nd, Band owner, in support of no smoking in bars.

Dr. Ronak Shah, 3433 Cove View Blvd., in support of smoking ban.

Hank Thiery, 2013 Ave. M, reinstate indoor smoking ban.

Neil Galemo, 2624 Gerol Ct., cancer survivor, in support of smoking ban.

11. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS

- A. Consider for approval an Ordinance of the City of Galveston, Texas, placing a temporary moratorium on the enforcement of City Code provisions pertaining to parking of licensed and registered boats on the street; subject to temporary rules and regulations; making various findings and provisions related to the subject.

ORDINANCE NO. 10-081 was read by caption: PLACING A TEMPORARY MORATORIUM ON THE ENFORCEMENT OF CITY CODE PROVISIONS PERTAINING TO PARKING OF LICENSED AND REGISTERED BOATS ON THE STREET; SUBJECT TO TEMPORARY RULES AND REGULATIONS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Motion to approve by MPT Colbert. Second by CM Legg.

Ms. Green will add language to Item 4 that will emphasize that all of the traffic laws remain in full force and effect. Language will also be added to state that if the owner has a driveway, it must be used to store the boat. The boat must block the sidewalk.

The amendment was accepted.

Vote: In favor: CM Puccetti, CM Gonzales, Mayor Jaworski, MPT Colbert, CM Greenberg, CM Legg. Opposed: CM Beeton. Motion carried.

- B. Consider for approval an Ordinance of the City of Galveston, Texas amending Chapter 19, "Licenses, Permits and Business Regulations", Article III "Peddlers

and Temporary Concessions" of the City Code to: modify temporary concession approval standards, permits, and regulations; modify rules for peddlers; removing seasonal restrictions and authorizing temporary food concessions on 61st Street and Along Seawall Boulevard from 1st Street to 103rd Street between the hours of 9:00 a.m. to 9:00 p.m. daily and requiring written authorization from any permanent food establishment located within 300 feet of the proposed concessionaire operation; and, adopting setback requirements, vehicle restrictions, and trash receptacle requirements.

ORDINANCE NO. 10-082 was read by caption: AMENDING CHAPTER 19, "LICENSES, PERMITS AND BUSINESS REGULATIONS", ARTICLE III "PEDDLERS AND TEMPORARY CONCESSIONS", OF "THE CODE OF THE CITY OF GALVESTON 1982, AS AMENDED" TO : MODIFY TEMPORARY CONCESSION APPROVAL STANDARDS, PERMITS, AND REGULATIONS; MODIFY RULES FOR PEDDLERS; REMOVING SEASONAL RESTRICTIONS AND AUTHORIZING TEMPORARY FOOD CONCESSIONS ON 61ST STREET AND ALONG SEAWALL BOULEVARD FROM 1ST STREET TO 103RD STREET BETWEEN THE HOURS OF 9:00 A.M. TO 9:00 P.M. DAILY AND REQUIRING WRITTEN AUTHORIZATION FROM ANY PERMANENT FOOD ESTABLISHMENT LOCATED WITHIN 300 FEET OF THE PROPOSED CONCESSIONAIRE OPERATION; AND, ADOPTING SETBACK REQUIREMENTS, VEHICLE RESTRICTIONS, AND TRASH RECEPTACLE REQUIREMENTS MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

Director of Planning O'Donohoe summarized the proposed ordinance.

After discussions, the following changes to the ordinance were proposed:

Mayor Jaworski moved approval with the following changes: Delete the time limit in its entirety- no time restriction on food on page 4 (A1); Amend on page 5 to O. - to not encompass all public and private schools but to keep that 500 foot restriction on all public and private schools up through middle school (meaning that restriction would not apply to public and private secondary schools-high schools) This change also needs to be made to F. on page 6. Eliminate the notification which is on page 4 (f) and also on page 3 B 8. Page 3 (c). Non-transferable from person to location. One transfer will be allowed within 60 days of the issuance of the permit. Second by CM Gonzales.

Ms. O'Donohoe read the changes:

Page 3:Permits shall be non-transferable to person or location unless submitted within 60 days of issuance.

Sec. 19-53, - Procedure for approval and applicable standards
(B) 8 with regard to the restriction on setback within 300 feet of an existing permanent business.

Page 4:Eliminating the seasonal restriction and the hourly restriction for food concessionaires.

Also, eliminating the restriction with regard to setback from any permanent food establishment which is (2) f.

Page 5:o. Clarifying that the restriction for school setback zones does not apply to secondary institutions and the same change on page 6 (f) with regard to does not apply to secondary institutions.

Vote in favor: CM Puccetti, CM Gonzales, CM Beeton, Mayor Jaworski, CM Colbert.
Opposed: CM Greenberg, CM Legg. Motion carried.

- C. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, designating the City Manager as authorized signatory for all Non-Housing CDBG Disaster Recovery Round Two grant documents.

RESOLUTION NO 10-051 was read by caption: DESIGNATING THE CITY MANAGER AS AUTHORIZED SIGNATORY FOR ALL NON-HOUSING CDBG DISASTER RECOVERY ROUND TWO GRANT DOCUMENTS; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Puccetti. Second by CM Beeton. Unanimously approved.

- D. Consider for approval a Resolution of the City Council of the City of Galveston, Texas, authorizing a collection fee in the amount of 30% on each item described by Article 103.0031(a) of the Texas Code of Criminal Procedure that is more than sixty (60) days past due and referred to a private attorney or vendor for collection; items include debts and accounts receivable such as unpaid fines, fees, court costs, forfeited bonds, and restitution ordered paid by the municipal court; and amounts in cases in which the accused has failed to appear in court as required by law.

RESOLUTION NO. 10-052 was read by caption: AUTHORIZING A COLLECTION FEE IN THE AMOUNT OF 30% ON EACH ITEM DESCRIBED BY ARTICLE 103.0031(a) OF THE TEXAS CODE OF CRIMINAL PROCEDURE THAT IS MORE THAN SIXTY (60) DAYS PAST DUE AND REFERRED TO A PRIVATE ATTORNEY OR VENDOR FOR COLLECTION INCLUDING DEBTS AND ACCOUNTS RECEIVABLE SUCH AS UNPAID FINES, FEES, COURT COSTS, FORFEITED BONDS, AND RESTITUTION ORDERED PAID BY THE MUNICIPAL COURT; AND AMOUNTS IN CASES IN WHICH THE ACCUSED HAS FAILED TO APPEAR IN COURT AS REQUIRED BY LAW; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve by CM Beeton. Second by CM Legg. Unanimously approved.

12. ACTION ITEMS

The following items shall be considered for action as a whole, unless one or more Council Members objects:

- A. Consider for approval acceptance of proposal (RFQ09-10-010) from Terracon Consultants, Inc. in an amount not to exceed \$20,000 to provide labor and equipment for the material and laboratory testing for the 21st and 23rd Street ARRA Paving Project from Broadway to Harborside Drive. Funding for this project will come from the General Fund Streets Concrete and Aggregate Account.

- B. Consider for approval the extension of the independent geotechnical investigation and materials resting services to Terracon for a total not to exceed \$26,341 for the Island Transit facility renovation/expansion project. Funding source: FTA and ARRA accounts.
- C. Consider for approval the sole source purchase from Badger Meter for various water meters and Orion Transmitter combinations that currently work with the meter system installed with the City throughout the Fiscal Year in an amount not to exceed \$200,000.00. The funding source is the Municipal Utilities distribution and collection minor equipment account.
- D. Consider for approval acceptance of the proposal from Sullivan Land Services, Ltd. For repairs to Sand Hill Crane Park for damages resulting from Hurricane Ike. The cost of these services will not exceed \$96,949.00. Funding source is 90% FEMA Category G and 10% Local Match, General Fund Contingency. The local match amount will be submitted to the IDC Board with recommendation for approval for General Fund Reimbursement.
- E. Consider for approval of the lowest, most responsive bid meeting specifications from Mahoney Construction in the amount of \$36,210.00 to provide substantial rehabilitation services to a property located at 4818 Alamo. Funding is from the Community Development Block Grant Program.
- F. Consider for approval the lowest, most responsive bid meeting specifications from Mahoney Construction in the amount of \$71,460.00 to provide substantial rehabilitation services to a property located at 2012 31st Street. Funding is from the Community Development Block Grant Program.
- G. Consider for approval the lowest, most responsive bid meeting specifications from Mid-City Remodeling in the amount of \$50,990.00 to provide substantial rehabilitation services to a property located at 3801 Winnie by the Galveston Historical Foundation (GHF). Funding is from HOME CHDO funds.
- H. Consider for action authorizing the City Manager to enter into a professional services contract with Nick Kralj and Buster Brown for the purpose of providing lobbyist services at the state level relating to coastal planning and funding as part of an interlocal agreement between the City of Galveston, the Park Board of Trustees, the City of Jamaica Beach, and the County of Galveston. Total contract is \$48,000.00. Funding Source is Planning Other Contracts account.

Motion to approve by CM Puccetti. Second by MPT Colbert. After discussion, CM Puccetti and MPT Colbert withdrew the motion.

Motion to defer by CM Greenberg. Seconded by MPT Colbert. Unanimously approved.

- I. Consider for action authorizing the City Manager to release payment to Accela Inc. in the amount of \$35,185.70 for the maintenance and support services of the permitting/compliance/storm assessment software. Funding source is Planning Software Licenses account.
- J. Consider for action entering into and authorizing the City Manager to execute a Contract for Collection Services with Linebarger Goggan Blair & Sampson, LLP for one-year to provide legal services and enforce the collection of delinquent court fees and fines, municipal liens securing payment of demolition and mowing expenses, past due utility charges for which liens have been perfected, and related actions in connection with the collection of the receivables that are subject to this Agreement.

Motion to approve by CM Legg. Second by CM Puccetti. Unanimously approved.

- K. Consider for approval acceptance of the proposal from VehiclePath for the annual service renewal plan of 92 GPS units in the amount of \$26,451.84. The funding source is various Public Works Maintenance accounts.
- L. Consider for approval ratification of a two-year fire collective bargaining contract between the International Firefighters Association Local 571 and the City of Galveston, effective October 1, 2010 through September 30, 2012.

Motion to approve by CM Legg. Second by MPT Colbert. Unanimously approved.

- M. Discuss and consider for action giving direction to the City Manager regarding beachfront erosion task force. (Beeton/Greenberg)

WITHDRAWN

- N. Discuss and consider for action restrictions to be eased temporarily on the existing ordinance dealing with the parking of boats and boat trailers on city streets. (Legg/Greenberg)

WITHDRAWN

O. Discuss and consider for action amendments to the clean air ordinance. (Mayor)
Mayor Jaworski moved to keep the smoking ordinance as it was before it was changed three weeks ago but only it now to be easier to smoke outside in outdoor seating and within 5 feet from the front door. So, go back to where we were three weeks ago. This started January 1 but to make it easier to smoke outdoors, outside patios and outside by the front door, 5 feet away. Second by CM Beeton.

Vote in favor: Mayor Jaworski, CM Beeton. Opposed: CM Puccetti, CM Gonzales, CM Greenberg, CM Legg. Abstaining: MPT Colbert. Motion failed.

- P. Discuss and consider adopting measurable goals for evaluation of Council appointees. (Beeton/Greenberg)
Discussion only, no action taken.

- Q. Discuss and consider for action authorizing GEDP and Houston Business Development, Inc. to administer and monitor up to \$2.5 million in CDBG business grants to Galveston businesses. (Mayor)

Mayor Jaworski moved to authorize Jeff Sjostrom and the GEDP to go to the currently identified partner Houston Business Development, Inc., and bring back to Council a document that we can vote on at the next meeting that would solidify their partnership with the State's approval to accept applications and administer an award grant out of the 2.5 million dollars in CDBG Business Grants from Round 1. Second by CM Puccetti.

Vote in favor: CM Puccetti, CM Gonzales, CM Beeton, Mayor Jaworski, CM Legg. Opposed: MPT Colbert, CM Greenberg. Motion passed.

- R. Discuss and consider for action Disaster Housing Program duplication of benefits. (Colbert/Greenberg)
Discussion only, no action taken.

- S. Consider for action authorizing continued representation by the law firm of Abrams, Scott & Bickley in City Claim # 10-060, The Sands of Kahala Beach HOA v. Larry Bishop, et al v. the City of Galveston, et al and authorizing additional funding in an amount not to exceed \$75,000. Funding Source is 75% FEMA HMGP reimbursable and 25% Uninsured Legal Account.

- T. Discuss and consider for action adopting a resolution regarding public housing. (Beeton/Greenberg)

After discussion, **Mayor Jaworski moved to direct the City Attorney to prepare a meat and potatoes resolution that will sufficiently meet the requirements of the conciliation agreement and the letter that Council received from TDHCA. A resolution that states that the City Council recognizes the Conciliation Agreement, understands 569 units should be built on the Island and that Council directs the Housing Authority to bring back site plans within 180 days. Second by CM Puccetti. Vote in favor: CM Puccetti, CM Gonzales, Mayor Jaworski, CM Colbert, CM Legg. Opposed: CM Beeton, CM Greenberg. Motion carried.**

- U. Discuss and receive update on CDBG economic development program. (Beeton/Greenberg)

- V. Discuss and consider for action giving the City Manager direction concerning Seawall parking project.

- W. Discuss and consider for action the city policy to rehire employees that have retired from the City of Galveston. (Colbert/Beeton)

- X. Consider for approval the acceptance of a change order to Repipe Texas for the installation of two (2) twelve inch (12") water connections in TxDOT's Broadway right of way for the improvement of water flows and pressure in the

area north of Broadway between 53rd and 43rd in an amount not to exceed \$200,000.00. The change order changes the final contract amount from \$1,024,830.00 to \$1,224,830.00 equating to a 19.5% change. The funding source is water improvement account.

Recess: 7:45 p.m. - 8:12 p.m.

CM Beeton moved approval of Action Agenda Items A, B, C, D, E, F, G, I, K, S and X. Seconded by CM Puccetti. Unanimously approved.

13. MAYOR AND COUNCIL APPOINTMENTS

A. Consider for action Mayor and Council Appointments to various City Boards, Committees and Commissions:

1. Tree Committee: CM Gonzales moved to reappoint the following At Large members: Jackie Cole, Donna Liebbert, Mary Jo Singleton, Kathlynn Joel-Reich. Second by CM Puccetti. Unanimously approved.
2. Galveston Housing Finance Corporation/Galveston Property Finance Authority:
CM Puccetti moved to reappoint Danny Weber. Second by CM Greenberg. Unanimously approved.
3. Parks and Recreation Committee: CM Greenberg moved to appoint Charlyn Vianni to the District 5 position. Second by CM Beeton. Unanimously approved.
4. RDA Board (Legg/Puccetti) No action

14. N/A

15. N/A

16. N/A

17. ADJOURNMENT

There being no further business to come before the assembly, the meeting was adjourned at 10:35 p.m.